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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/660,882	09/13/2000	Frank Preiss	99P7765US01	7076
26161	7590	01/16/2004	EXAMINER	
FISH & RICHARDSON PC 225 FRANKLIN ST BOSTON, MA 02110			MEW, KEVIN D	
			ART UNIT	PAPER NUMBER
			2664	

DATE MAILED: 01/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/660,882

Applicant(s)

PREISS, FRANK

Examiner

Kevin Mew

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 2664

Detailed Action

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: element 14, Figure 1 and element 40, Figure 2. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

2. Claim 3 is objected to because of the following informalities: extra dot is printed in the IEEE 8.02.3 standard. It should be changed to IEEE 802.3.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-3** are rejected under 35 U.S.C. 102(e) as being anticipated by Edholm (US Patent 6,449,269).

Art Unit: 2664

Regarding claim 1, Edholm discloses a processor (see elements 308, 304, 306, 310, 312, 314, 316, 318, 320, 334, 332, 322, 336, 328, 324, 260, 330, 326, 200, Figure 3) of a IP telephone (**Voice-over-Internet Protocol telephone**, see lines 56-67, col. 5 and lines 1-13, col. 6), including:

A processor core, which comprises of a digital signal processor (DSP), a controller, a packetizer, and an extractor (**a processor core**, see elements 310, 314, 334, 322, Figure 3), including;

A bus, on which different signals are transmitted, comprises of internal arrow-headed lines linked between elements of the processor (**a bus on which signals internal to the processor are routed**, see Figure 3);

A memory coupled to the processor core comprising of the controller, DSP, packetizer, and extractor through the bus (**memory coupled to the processor core through the bus**, see elements 312, 316, 318, 320, 332, Figure 3; note that these elements form the memory as one memory unit);

A port coupled to the analog/digital converter (A/D) from the aforementioned processor core and memory (see end point of element 304, Figure 3) and a port connected to the physical MAC transport from the aforementioned processor core and memory (see end point of element 330, Figure 3) through the bus (**one or more integrated communication ports coupled to the processor core and memory through the bus**, see Figure 3; note that elements 308, 304, 306, 310, 312, 314, 316, 318, 320, 334, 332, 322, 336, 328, 324, 260, 330, 326, 200 are combined to form the processor, which is considered as one unit).

Art Unit: 2664

Regarding claim 2, Edholm discloses the port to the analog/digital converter is a PCM port (**one or more communication ports are PCM ports**, see lines 61-64, col. 5 and element 304, Figure 3).

Regarding claim 3, Edholm discloses a network interface comprising MAC coupled to a physical transport is IEEE 802.3 compliant Ethernet interface (**one or more communication ports are IEEE 802.3 media access controllers**, see lines 15-20, col. 7 and elements 328, 330, Figure 3).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over Edholm in view of Zimmerman et al. (US Patent 6,526,131).

Edholm does not explicitly show that one or more communication ports coupled to the processor core and memory are USB ports.

However, Zimmerman discloses a connectivity box (a processor), which comprises of a processor subsystem and memory, would accept VoIP calls (see lines 24-26, col. 22) and comprises a USB peripheral connect interface (see lines 66-67, col. 7 and lines 1-4, col. 8) to devices such as scanner and printer (see element 31, Figure 2).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to modify the VoIP processor of Edholm such that one or more

Art Unit: 2664

of integrated communication ports enclosed therein would be USB ports such as the USB ports of the VoIP processor taught by Zimmerman. Having provided USB ports on the same processor unit in Edholm and coupled it to the processor core and memory through the bus would modify the processor unit of Edholm. The motivation to do so is to provide the capability for the VoIP processor to support USB ports because it would allow the VoIP telephone to connect to some USB compatible peripheral devices such as scanners or printers.

Art Unit: 2664

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure with respect VoIP telephone.

US Patent 6,119,179 to Whitridge et al.

US Patent 5,799,068 to Kikinis et al.

US Patent 6,373,835 to Ng et al.

US Patent 6,658,020 to Isaka et al.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Mew whose telephone number is 703-305-5300.

The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 703-305-4798. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

KDM
Art Unit 2664


RICKY NGO
PRIMARY EXAMINER